STOP IN TAGE

OUR NEW TREATY WITH CHINA

POINTS OF THE CONVENTION SIGNED YESTERDAY.

Settles Vexed Question of Internal Taxation in China-Recognizes Right of Residence of Missionaries and Opens More Ports to International Trade.

WASHINGTON, Oct. 8 .- W W. Rockhill, now director of the Bureau of American rblics, who was Special Commissioner the United States to China during the negotiation of the matters arising out of the Boxer troubles, explained to-day the provisions of the commercial treaty between the United States and China. This is his statement:

The negotiations between China and the United States, which culminated in the treaty signed to-day at Shanghai, were initiated under the provisions of Article XI. of the final protocol signed by the Powers Pekin on Sept. 7, 1901, terminating the anti-foreign outbreak of the preceding year. The present treaty has for its object to extend the commercial relations between the contracting powers by amending our existing treaty of commerce and navigation with China, with the object of facilitat-

"Articles I., II. and III. refer to the rights and privileges of diplomatic officers, Consuls d citizens of the United States and China, and embody a number of changes which have been sanctioned by usage in China thice the treaty of 1858.

"Article N. is the most important of the treaty. By it the Chinese Government, recognizing that the present system of levying duties upon goods in transit, and specially the system of taxation known ikin, impedes the free circulation of commodities to the general injury of trade undertakes after the ratification of the treaty, and at a date to be mutually agreed upon, to abandon the levy of likin and other transit dues throughout the empire and to abolish all other barriers and tax stations maintained for their collection.

The United States, in consideration of this pherge, agrees, if all other Powers the distriction of the state of this payment they shall secure complete immunity from all other taxation whatsoever within the empire. Exports from China shall pay 7½ per cent. ad valorem (as at present), the whole amount of the duty being collected at the port of exporta-

These are the salient points of this arfiele, which, it is believed, may bring about a complete and salutary reform in the fiscal administration of the empire and much larger sums from the internal taxes than it now does, when the cost of collecthan it now does, when the cost of collec-fion is perhaps 50 per cent. of the whole.

"The remaining provisions of Article N.

relate to the method to be followed in shoushing the present internal tax-levying system. It limits the place where native custom houses can be maintained, pro-yides for certificates of identification for "Consider invocate the treatment of Chinese vides for certificates of identification for Joreign imports, the treatment of Chinese machine-made goods which are to enjoy a rebate on the import tax and exemption from export tax. Finally, it provides the method of investigation of complaints and declares that an imperial edict shall be issued, at a date to be hereafter fixed, setting forth the abolition of likin taxation and charging the various high officials of the empire with carrying it out.

By another article the Chinese Government agrees to the establishment of bonded

ment agrees to the establishment of bonded warehouses by citizens of the United States at the open ports of China.

By Article VII. the Chinese Government, recognizing that it is advantageous for the country to develop its mineral reand that it is desirable to attract

Article IX. provides for the protection of trade marks.
Article X. provides for protection of patents, and Article XI. for the protection of copyrights.

By Article XIII. the Chinese Government to the processary steps to pro-

agrees to take the necessary steps to pro-vide for a uniform national coinage, which shall be a legal tender throughout the

Article XIV. relates to Chinese Christians and to missionaries. It insures to the former the free exercise of their religion, and protects them against the injustice of the native officers, while not, however removing them from their jurisdiction or claiming for our missionaries the right to interfere with the exercise of the paties. interfere with the exercise of the native authorities of their jurisdiction over their To the missionaries it secures what

they have sought for for years, a recog-nition of their right to rent and lease in nition of their right to rent and lease in perpetuity such property as the societies may need in all parts of the empire.

"At the request of the Chinese Government an article has been incorporated in treaty by which we consent to the prohibition of the importation into China of morphia and of instruments for its injection.

"Finelly an article property."

Finally, an article provides for the opening to international trade, in the same conditions and manner as other places now opened to like trade in China, of the cities of Feng Tien Fu (Mukden) and Antung, the first the capital of the Manchusic. the first the capital of the Manchurian province of Shang-Ching, the latter a port on the Yalu River, on the road between Mukden and Wiju in Corea."

THE AIRSHIP'S FAILURE.

Prof. Langley Says It Was Due Wholly

to the Launching Mechanism. WASHINGTON, Oct. 8 .- Prof. Langley of the Smithsonian Institution, who for twenty years has been endeavoring to solve the problem of aerial navigation, to-day made public the following statement regarding the unsuccessful flight of his sixty-foot man-carrying aerodrome at Widewater, Va., yesterday

Mr. Langley says that he was not an eye-witness of the experiement at Widewater yesterday, having been detained in Washing-ten by business, but that on the report of Mr. Manley, immediately in charge, he is able to say that the latter's first impression that there had been defective balancing was corrected by a minuter examination, when the clutch which held the aerodrome on the launching ways, and which should have released it at the instant of the fall, was found to be injured.

released it at the instant of the fall, was found to be injured.

The machinery was working perfectly and giving every reason to anticipate a successful flight when this accident, due wholly to the launching mechanism, drew the aerodrome aburptly downward at the moment of release and cast it into the water, near the house boat. The statement that the machine failed for lack of power to fly was wholly a mistaken one.

chime failed for lack of power to fly was wholly a mistaken one. The engine, the frame and all the more important parts were practically uninjured. The engine is actually in good working order. The damage done was confined to the lighter portions, like the canvas wings and propellers, and these can be readily replaced. The belief of those charged with the experiments in the ultimate successful working of the machine is in no way affected by this accident, which is one of the large chapter of accidents that beset the initial stages of experiments so novel as the present one. It is shiefly unfortunate as coming near the end of the season when outdoor work of this sort is possible. ort is possible.

Whether the experiments will be continued his year has not yet been determined.

The President's Cullers.

WASHINGTON, Oct. 8.-President Rooseyelt this morning received about three andred members of the National Association of Retail Grocers, who are in session

The officers of the Brazilian warship enjamin Constant were presented to the President this afternoon by Secretary Hay, in the Blue Room of the White House.

MAKE BOODLING EXTRADITABLE. Circuit Attorney Folk of St. Louis Dis

cusses It After Seeing the President. Washington, Oct. 8 .- Joseph W. Folk. the St. Louis Circuit Attorney who prose-cuted the cases against the boodling mempers of the Missouri State Legislature and of the St. Louis City Council, was President Roosevelt's guest at luncheon to-day.

It is expected that the President in his coming message will make a strong recommendation to Congress that bribery and boodling be added to the list of extraditable offences named in extradition treaties with foreign countries. The pending cases of Greene and Gaynor of New York, who are fugitives from justice in Canada, and of the Missouri bribers and grafters, have directed serious attention to this matter. Mr. Folk, in discussing the question to-day,

Mr. Folk, in discussing the question to-day, said:

"All offences are political in a way, in the sense that they are crimes against the Government through the breaking of Government laws. The question of politics should not be brought into cases of boodling or bribery. A boodler is not a Democrat, nor is he a Republican—he is a criminal. That is the only way to look at it.

"If you look over the history of negotiations of extradition treaties you will find that new crimes have been made extraditable merely as necessity demanded the

that new crimes have been made extraditable merely as necessity demanded the change. For a long time murder and larceny were the only extraditable offences included in United States treaties. Then the increase in the number of bank cashiers' peculations and flight of the embezzlers to Canada and Mexico led to embezzlement being included in the treaties, until now there is no haven for this class of criminals.

"The epidemic of boodling and bribery unearthed in the last year at St. Louis and the subsequent exposures in connection." the subsequent exposures in connection with the Post Office Department investiga-tion have brought to light more cases of this character than in fifty years before. The demand for more effective extradition treaties cannot be questioned."

NORTH RIVER PIER EXTENSION. The Answer to Gen. Gillespie's Objections

Received by the War Department. WASHINGTON, Oct. 8 .- The War Department received to-day a report from Samuel Whinery, a consulting engineer of 95 Liberty street, New York, who was engaged by Dock Commissioner Hawkes and the shipping interests to make representations in opposition to the recommendation of

in opposition to the recommendation of Brig.-Gen. Gillespie, chief of engineers, U. S. A., that the application for the extension of pierhead lines in the North River be refused on the ground that it would interfere with navigation.

The application was made by the steamship companies having piers along what is known as the Chelsea Improvement, between West Fourteenth and West Twenty-second streets. They wanted permission to extend the heads of the piers 200 feet further into the river, so as to make some of them 1,000 feet long, and thus capable of accommodating the largest vessels. Dock Commissioner Hawkes indorsed the application.

Dock Commissioner Hawkes indorsed the application.

At the request of Mr. Hawkes the Secretary of War agreed not to take any action until Gen. Gillespie's objections could be answered. Mr. Whinery's report contains the answer. He takes up the question of the future navigation of the river and endeavors to show that the proposed extension will not interfere with its navigation now or in time to come.

Gen. Gillespie, to whom the report was sent by the Acting Secretary of War, referred it to the Harbor Line Board of Engineers in New York for examination and

neers in New York for examination and

TO SUCCEED ADMIRAL BRADFORD. Capt. Converse Selected for Chief of the

Bureau of Equipment. WASHINGTON, Oct. 8 .- Capt. George A. Converse, commanding the battleship Illinois, now at the Brooklyn navy yard, has been selected to succeed Rear Admiral Royal B. Bradford as chief of the Bureau sources and that it is desirable to attract foreign as well as Chinese capital to embark in mining enterprises, agrees, within a year from the signing of the treaty, to conclude the revision of its mining regulations, of a Rear Admiral Bradford of a Rear Admiral Bradford that citizens of the United States may be I will resign his commission as Rear Admiral able to carry on in Chinese territory mining and chief of the Equipment Bureau, to take operations and other necessary business effect on Oct. 15. He will then be assigned effect on Oct. 15. He will then be assigned to succeed Capt. Converse in command of the Illinois. Admiral Bradford's relinquish-ment of his present office and his applica-tion for sea duty were voluntary.

Capt. Converse is regarded generally in the naval service as being second to none in ability, devotion to duty and thoroughness. He entered the naval academy forty-two years ago in the same class with Admir at the control of the co whose immediate senior he is on the list of Captains. In the war with Spain he commanded the cruiser Montgomery and saw service in the West Indian naval campaign.

New Dry Dock at Portsmouth Navy Yard Damaged.

WASHINGTON, Oct. 8 .- Capt. C. F. Goodrich, commandant of the navy yard at Portsmouth, N. H., telegraphed the Navy Department to-day that the new dry dock

there had been damaged. He said:
"About fifty feet east end coffer dam
of new dry dock washed out. Dock filled
with water. No one killed or injured.
Beyond filling of dock and destruction of the contractor's plant no damage know as yet."
This dry dock was within eleven months

of completion. Its cost is to be more than \$1,000,000. It will be capable of holding the largest war ships.

The accident was caused by the giving away of the conferdam at the entrance of the dry dock. The structure was flooded and the contractors, John Pierce & Co., of New York, sustained a heavy loss. Derricks, hoisting engines and other machinery in the basin of the dock were swept from their places and buried beneath the water

Monetary Commissioner Going to China. Washington, Oct. 8 .- Hugh H. Hanna, Charles A. Conant and Prof. Jeremiah W. Jenks, members of the International Monetary Commission, called on the Presi dent this morning, accompanied by Secredent this morning, accompanied by secretary Hay. They reported the result of their conferences in Europe with representatives of foreign Governments. The suggestion was approved that Prof. Jenks should go to China to confer with representatives of that Government on the subject of reaching if possible a stable retained. ect of reaching, if possible, a stable rate of exchange between silver and gold. Pro-Jenks will leave on Sunday night for Pekin.

Army and Navy Orders.

WASHINGTON, Oct. 8 .- These army orders were Lieut. Col. James Parker, Assistant Adjutant-General, to Fort Riley as umpire during army General, to Fort titley as tamped as professor of malitary science and tactics at St. Joseph's College, Philadelphia.

Major Richard W. Johnson, surgeon, and Capt. Frank E. Harris, artillery, detailed as member and recorder, respectively, of examining board at Fort Monroe, vice First Lieut. Wilfrid Turnbull, Assistant Surgeon, and Capt. Willoughby Walke, Artillery Corps. Assistant Artillery Corps.
Capt. Edward Anderson, Seventh Cavalry, to Washington Barracks, General Hospital, for treat-

These naval orders were issued: Lieutenant Commander T. F. Burgdorff, from inspection duty New York city district, to the Atlanta temporarily, thence to the Newark, and further duty as fleet engineer of South Atlantic further duty as neer transfer and around a squadron.
Lieutenant-Commander H. Hail, from the Atlanta to home and wait orders.
Lieutenant-Commander A. B. Willits, from the Newark to home and wait orders.
Lieut. R. B. Higgins, from the Montgomery to the Newark, temporarily, thence to the Atlanta in charge of engineering department.
Lieut. U. S. Macy, to the Frankfort, Norfolk E. H. Marsteller, from the Panther to home and wait orders.

Naval Constructor E. Snow to navy yard, Boston, as head of Department of Construction and ton, as head of the second of charge of observatory.

Lieut. G. W. Denfield, from command of the
Monocaey, to command of the Don Juan de Aus-Commander A. Ward, from command of the Don Juan de Austria to home.
Surgeon J. E. Gardner, from the Kentucky to Passed Assistant Surgeon E. M. Shipp from the Wilmington to home.

FLOGGED TO THEIR BAPTISM.

HOW ARMENIANS WERE TREATED BY RUSSIAN PRIEST.

An Incident in Life of Vassiley, Who Was Assassinated—Protests in This Country Against the Selzure by Russia of Armenian Church Property.

Boston, Oct. 8 .-- The press committee f the Friends of Armenia, Mrs. Julia Ward Howe, president, sent out to-day a circular entitled "Religious Persecution in Russia." It says in part:

"A few days ago the press despatches reported the assassination of the ortho-dox archpriest Vassilov in the streets of Alexandropol, for having converted three Armenian villages.' Later advices from Europe give some account of Vassilov's record and of how he incurred his unpopularity. His assassination was an inciden of the popular exasperation caused by the religious persecution in Russia.

"It is the well known policy of the Government to put pressure upon all its nonrthodox subjects, to make them conform to the Russian State Church. Whether Jews, Doukhobors, German Lutherans, or Polish Catholics, those who will not conform must suffer. Just now the screws are being put upon the Armenians. In the Caucasus, where the population is largely Armenian, the Government is sending in colonies of orthodox Russians and settling them there to crowd out the original peasantry. Those who will turn orthodox, however, are not deprived of their land, but are given additional grants of Government land and other favors.

ernment land and other favors.

"Last year about twenty-five Armenian peasants in the village of Karakilissa made up their minds to join the State Church, and sent a petition to the Russian synod asking to be baptized. A few days later they repented of this act of hypocrisy, and wrote to the synod that they had decided to remain in their own communion. They supposed this would end the matter; but some time later they received notice from the Governor of Alexandropol to be ready for baptism on a certain day. The peasants or baptism on a certain day. The peasants old the Governor that they had changed their minds and had already notified the synod to that effect. The Governor an-sweed, We have orders from St. Petersourg to baptize you. Those who go back on their word will be exiled to Siberia.'
"The next Sunday the Governor came

to the village with a regiment of Cossacks, accompanied by the Russian archpriest Vassilov with Bible and crozier, and many Vassilov with Bible and crozier, and many officers and Russian ladies carrying bouquets, to attend the ceremony; but the peasants refused to be baptized. The Governor first tried to persuade them; then, failing in this, he ordered the Cossacks to use their whips. The unwilling converts were flegged to the place of baptism like unruly cattle, and the Cossacks mounted guard over them with their whips to keep them from running away, while the archpriest Vassilov read from the Bible and sprinkled them with holy water. The wives of the unfortunate men, with their children, left the village, declaring that they could not live with husbands who let themselves be converted by force. This is merely one little incident in Vassilov's merely one little incident in Vassilov's

"As items in the forcible Russianization of the Caucasus, the Government has sup-pressed all the Armenian benevolent and philanthropic societies, has subjected their newspapers to rigid censorship, and closed newspapers to right cellsorship, and tabesed many of their public libraries, including that of the Armenian philanthropic society at Baku, the largest library in the Cau-casus, which was used by all nationalities and had been of great benefit to the city. The Government during the last few years The Government during the last few years has also systematically discouraged their commercial and manufacturing enterprises, laying special restrictions upon them, and offering great advantages to their competitors. Armenians are now almost wholly excluded from Government offices, in districts where the bulk of the resculction is Armenian.

population is Armenian.

"During the past few weeks the confiscation of the church property has called out great popular demonstrations in Alex-andropol, Tiflis, Erivan, Baku, Shusha and Elizavetpol, accompanied in several and Elizavetpol, accompanied in several cases with bloodshed. In Alexandropol all places of business were closed and the city was hung with black. In Erivan several thousand people, taking with them the Archbishop, and overcoming the resistance of the military and college. the Archbishop, and overcoming the resistance of the military and police, marched in procession to Etchmiadzin, where the head of the Armenian Church has his see in an ancient monastery at the foot of Mount Ararat, and urged him not to give up the property of the Church. He and his clergy held a council and decided not to surrender it voluntarily.

"Chrimian, the present head of the Armenian Church, is an aged prelate, respected

menian Church, is an aged prelate, respected throughout Europe for his virtues, and greatly beloved by his own church. He has begged the Czar to grant him a personal interview to remonstrate, but there is no prospect that he will be successful. "In Boston, Providence and other American cities, meetings of protest are being can cities, meetings of procest are being held by Armenians, naturalized citizens of the United States, who assert that the Armenian Church property does not belong to the Armenians in Russia alone, but to the members of the Armenian Church through-out the world; and they ask President Rooseveit to protest to the Czar against the con-fiscation of property in which thousands

of American citizens are part owners. The Armenian Patriarch of Constantinople and his clergy have entered a protest on the same ground—that the Church property the same ground—that the Church property belongs to the members of the Armenian Church everywhere. "In 1836 the Russian Government granted the Armenian Church a constitution, the eighth and ninth chapters of which guarantee the Church the right to administer its own revenues and conduct its own

schools; but these promises have proved of as little value as the guarantees of consti-tutional liberty for Finland." SUES FOR PAY AS MISTRESS. Demurrer Overruled Because the Word

Has Innocent Meanings. Supreme Court Justice Davis overruled vesterday the demurrer submitted by James Moore to the complaint of Margaret J. McChesney in her suit against him to recover \$46,400 for "services rendered and performed as his servant and mistress'

between June 1, 1883 and May, 1902. Moore demurred to the complaint on the grounds that it did not state a sufficient cause of action, and was brought to enforce an illegal contract. Justice Davis says in his opinion:

The defendant (Moore) assumes that the word mistress is used by the plaintiff in the meaning of one who illicitly occupies the place of a wife. If such import is to be given to it, the complaint is necessarily bad as place of a wife. If such import is to be given to it, the complaint is necessarily bad as the contract is not enforceable, part of the consideration being illegal. The word mistress, however, has many definitions describing perfectly proper relationships, and there is nothing in these pleadings to warrant the adoption of the definition selected by the defendant, to the exclusion of other meanings. on trial, proof may show that the plaintiff claimed to be a servant and mistress of his heusehold, or housekeeper, and not a mistress in the evil sense. The demurrer is overruled with leave to answer in thirty

The papers filed in the suit are exceedingly meagre, and show that, according to the plaintiff, she has a claim for her services over a period of nineteen years. She says Moore agreed to pay her, and that \$2,500 a year would have been a reasonable re-muneration, but that in May, 1902, they fixed the entire amount due her at \$47,500. He paid her, she says, \$1,000 on account first.

paid her, she says, \$1,000 on account first, and subsequently another \$100, but has failed to pay the balance.

In his papers on the demurrer, Moore says that he had known Maurice McMahon, the plaintiff's father, since 1880, and her mother and herself since 1870. They called on him occasionally in Buffalo, he says, and later, when the plaintiff told him of her poor circumstances, and of her intention to go to Canada, he gave her \$300, as he was then well off. He maintains vehemently, however, that he is not indebted to her in any way or for any amount, and characterizes her claim as an attempt at blackmail.

RESULTS AT BEIRUT.

Letter to Presbyterian Secretary Tells What Our Fleet's Visit There Has Meant. The Rev. Dr. Arthur J. Brown, secretary of the Presbyterian Board of Foreign Missions, received yesterday a letter from a friend in Beirut, dated Sept. 12, telling of

can fleet there. The letter said: "We have good reason to be proud of Admiral Cotton, Consul Randal and of all who have supported them in Washington and Constantinople. One cablegram with details of the situation sent in cipher to Washington cost \$400. It took four officers a day and a half to unlock and verify the cable. So somebody has been doing some hard work and thinking. The results of the week are th se:

the week are th se:

"1. Vali of Beirut dismissed by irade and off by to-day's steamer to Constantinople.
"2. Nazim Pacha, one of the best men in the empire, is acting Vali, and, we all hope, may be made permanent.

"3. Chief of police dismissed.

"4. Men who sent garbled account making light of the attempted assassination dismissed.

"5. Christian lad falsely charged with firing the shot released from prison to-day.

"6. Twenty-six Moslem deperadoes lodged in prison, and some thirty to forty have fied in country. Their length of absence will acpend upon punishments meted out to those captured.

"7. Order really restored. Guards and signal men have been taken from the Consulate back to their ship.

"Would that some plan for disarming the

"Would that some plan for disarming the population could be devised and carried out. Preventive justice would call for a gallows to accommodate at least four desperadces, with a large transparency above telling in French, English, Arabic and Turkish why the criminals were roped.

"Sixty-three years ago, on Sept. 10, the English bombarded Beirut. During all those years we have never had any such scenes as those of last Sunday. Beirut, with its schools, consulates, missionary enterprises, port railroad, modern improvements, backed by Mount Lebanon, has been an asylum for all classes. To have such a city, one of the redeeming features of the empire, transformed by a few wretched officials into a pandemonium is an insult to civilization. Would that our warships could sail into Monastir and Adrianople and let a little light and hope into these troubled regions.

"It is pleasant after Americans have into these troubled regions.

into these troubled regions.

"It is pleasant, after Americans have labored seventy-five years to redeem the people of this empire to have our flag and Admiral come to preserve for Syria the safety and immunity which other Christian nations won for Lebanon and Beirut in 1860."

REVENUE CUTTER DALLAS SAFE. Arrives at Ogdensburg After a Stormy

Passage From This City. OGDENSBURG, N. Y., Oct. 8 .- The United States revenue cutter Alexander J. Dallas arrived in this port last night and proceeded to the shipyard, where she cast anchor. The boat had previously been doing service in the vicinity of New London, Conn., and Wood's Hole, Mass., but more recently has been stationed at New York. During the recent international yacht races at Sandy Hook she acted as a patrol boat in assisting to keep the course clear.

The trip around from New York was

made without a mishap, although the was twice reported lost and grave fears for her safety were entertained. In the Bay of Fundy and in the vicinity of Char-lottetown, P. E. I., very stormy weather was encountered, but the stanch craft

was encountered, but the station clear weathered the gales.

The Dallas will be permanently stationed at this port and will ply between Ogdensburg and Niegara. Four of the Dallas's officers are veterans of the Spanish-American War, including Lieut. Wild, who helped to cut the cables at Clearfurges, Cuba. the cables at Cienfuegos, Cuba.

JAMES L. KERNOCHAN'S FUNERAL One of the Largest Ever Seen in Hempstea -The Pallbearers.

HEMPSTEAD, L. I., Oct. 8 .- The funeral of James Lorillard Kernochan, who died on Monday, was held to-day from his home, The Meadows. The services were Kerr, pastor of the Hempstead Presbyterian Church. the funeral was one of the largest ever

seen here. Friends came from all parts of the country to attend the services. There were so many floral pieces that two rooms in the house were filled with them. The coffin was carried to the station by servants who had been in the service of

servants who had been in the service of the family for years. It was taken to Greenwood Cemetery.

The pallbearers were W. Scott Cameron, Foxhall P. Keene, G. Mifflin Wharton, Center Hitchcock, Winthrop Rutherfurd, Charles Carroll, Henry Savage Page, Reg-inald Ronalds, James W. Appleton, Dud-ley Winthrop, Frank Gray Griswold and Edward Buckley.

KILLED BY TIPSY DOCTOR. Colorado Man Forgets All About His Drunken Crime.

P. EBLO, Col., Oct. 8.-Dr. C. O. Rice. prominent physician, while crazed by liquor last night, shot and killed Policeman Silas Marts, who was trying to arrest him, wounded another officer, drove the clerks from his drug store and defled a crowd of 3,000 persons for more than two hours. His revolver finally refused to work and he was overpowered.

He is slowly recovering his reason in jail,

Lieut.-Gen. Young to Inspect Naval Was College.

WASHINGTON, Oct. 8.-Lieut.-Gen. Young. chief of the General Staff, left Washington this afternoon for Newport to inspect the Naval War College. He was accompanied by Rear Admiral Taylor. chief of the Bureau of Navigation and former president of the naval War College; Brig.-Gen. Randolph, chief of artillery; Capt. Pillsbury of the Naval General Board and Lieutenant-Commander Winslow. While he is at the War College the methods by which naval officers under instruction there work out strategic problems will be

The Weather.

The western storm was passing over the Lake regions yesterday, with its front extending east-ward to the Middle Atlantic and New England coasts. The centre had passed northeastward into Canada, north of Lake Superior, and the whole storm area had diminished in force and magnitude, although winds of from thirty to forty mile an hour prevailed over the northern half of the country from the Dakotas to the New England coast. The rainfall was general in all the tricts bordering the lower Lakes and in the Middle Atlantic and New England States, and in the Middle in most places. A dense fog enveloped the coast from Virginia to Maine. Clear weather covered all the country west

the Atlantic States and south of the Great Lakes The temperature had fallen 10 to 20 degrees in the Lake regions and in the Ohio and Tennessee val leys and the lower and central Mississippi valleys In the Middle Atlantic and New England States In this city there were heavy rains at short in

veering to north at night; average humidity, 96 per 8 A. M., 29.90; 8 P. M., 29.74. The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table

tervals; wind, brisk to high easterly to southerly

WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW For eastern New York and New Jersey, rain to-day; high north, shifting to northwest winds; fair to morre For eastern Pennsylvania, rain to-day; high north, shifting to northwest, winds; fair to morrow For the District of Columbia, Delaware, Maryland and Virginia, partly cloudy to day; bris For New England, rain to-day, with high north o-morrow.

For western Pennsylvania and western New

NEW BUILDING SHUTDOWN DUB

AGAINST STONECUTTERS, WHO DEFY EMPLOYERS LEAGUE.

They Refuse Definitely to Recognize the the consequences of the visit of the Ameri-League's New Unions, and the Employers Are to Take Action To-day -They Have Promised to Shut Down.

The attempt to settle the fight of the ourneymen Stonecutters' Union against he new unions formed by the Building Employers' Association proved an absolute failure yesterday. The union has decided to stand by Sam Parks and the old Board of Building Trades and not to work with the new unions.

Employers' Association, which has gone on record as saying that a general shutdown of all stone work will be ordered if the fight is not called off by the union, will meet today to take action. The delegates of the union say they will take a contractor at a time and keep up the fight until all the members of the new unions are cischarged.

The Police Believe She Is Not the Wife of Dr. Johnston, the Dentist, With Whom Dr. Johnston, the Dentist Dr. Johnston Dr. Johnston, the Dentist Dr. Johnston Dr. J Charles A. Cowen, the contractor select just now for attack, said yesterday that there is nothing for it but to shut down

there is nothing for it but to shut down stone work in the meantime. That was the intention of the employers.

"Would that not be a violation of the agreement with the unions which signed the arbitration agreement?" he was asked.

"Not at all," replied Mr. Cowen. "The Master Stonecutters are not in the employers' association, and the union has not signed the agreement. Besides, it would be some time before the shutdown of stone work would have any effect on the other trades. The union certainly inthe other trades. The union certainly intends to keep up the fight, and their employers will not interfere. It is now up to the board of govern ors."

There was a report yesterday that the Euiliing Employers' Association had been discussing the question of covering up their unfinished buildings for the winter and taking a recess of three months. Charles L. Eidlitz, president of the employers' association, said that the report was without foundation. He was asked if the board of governors will order the shutdown of stone work to-day. shutdown of stone work to-day.
"I cannot undertake to predict before-hand what the board will do," he replied.
Donald Call, a walking delegate of the Journeyman Stone cutters' Union, said the employers' a sociation had no right to

a sociation had no right to ask the stonecutters to recognize the new unions it had formed. "What have we to do with them?" he said. "Our employers are not in the em-ployers' association, and therefore we won't recognize any irregular unions at

BUILDING TRADES UNION. No Doubt Expressed That National Bodies Will Amalgamate.

INDIANAPOLIS, Ind., Oct. 8.—Representatives of the seven national labor organizations engaged in the building trades assembled here to-day to consider the amalgamation of all the bodies and the representatives, three from each national union, seemed to be in such hearty accord that none expressed a doubt of the alliance to oppose the Employers' Association.

The delegates said that their object is to prevent strife rather than encourage it and that the strike as a weapon of defence and the boycott as a means of attack would be discouraged by the new organization.

Frank Buchanan, president of the International Bridge and Structural Iron Workers' Union, who is fresh from the affair with Sam Parks at Kansas City, said to-

day:
"Parks has no place in the labor movement, and time will show that I am right. The better element will not tolerate his

BUTTERICK STRIKERS AT WORK. Parks and Anti-Parks Housesmiths Both at It Completing the Building.

Work was resumed yesterday on the conducted by the Rev. Frank Melville Butterick Building in Spring street with members of both Sam Parks's housesmiths tives of the Butterick Publishing Company, two pistol shots at Frederick L. Savage, Horgan & Slattery, the architects, and the George A. Fuller Company said they believed there would be no further trouble there, a satisfactory arrangement having been reached.
S. P. McConnell, vice-president of the Fuller company, said that the new house-smiths were working at the ornamental iron work and Parks's housesmiths on the

structural iron work. "Are they working in harmony?" he was asked.
"I don't know," he said, "but they are working, and will keep on working until their part of the work is done."

WRIGHT UMPIRE AGAIN. Appointment Not Pleasing to Miners on Account of His Decision.

SCHANTON, Pa., Oct. 8 .- T. D. Nichols, resident of District No. 1, United Mine Workers, and secretary of the Board of Conciliation, received a communication to-day from Judge Gray stating that Carroll D. Wright had again been appointed umpire to decide disputed questions before the

The appointment is not pleasing to the miners, because Mr. Wright decided against them on important points when acting as impire on a previous occasion. MINERS THREATEN STRIKE.

n Ultimatum Served on the Pennsylvania Coal and Coke Co.

ALTOONA, Pa., Oct. 8 .- Patrick Gilday of the Mine Workers returned to-day from Indianapolis, and on the advice of President Mitchell presented to Supt. Collins of the Pennsylvania Coal and Coke Company, the altimatum of the miners relative to the situation. He served a formal notice that situation. cless the Altoona scale was complied with in a reasonable time the 15,000 workmen of the big coal combine would be ordered

IN DR. M'CORMICK'S MEMORY. A Bronze Tablet to St. Veronica's Pastor

on Exhibition Here. There was placed on exhibition yesterday at Broadway and Nineteenth street the bronze tablet soon to be erected in St. Veronica's Roman Catholic Church, in Christopher street, as a memorial to the late pastor, the Rev. Dr. Daniel J. McCormick, who died suddenly last January. The tablet is three feet in height. On the top is a bust of the late pastor in bas relief. The memorial is the gift of Dr. McCormick's old parishioners, combined with the offer-ings of his many friends without the parish. It is soon to be dedicated in the church.

SHARK BIT OFF HIS LEGS. Sallor Was Hauled Aboard Ship, but Died of His Injuries.

NEW ORLEANS, Oct. 8 .- Joseph Cordelo, a sailor on the American steamer Mobile, from Mobile to Havana, fell overboard while the vessel was sailing to Havana. A boat was at once sent to the rescue. The men were hauling him aboard when a large shark caught him by the legs and carried them away.

The man was taken aboard ship, but died in a short time and was buried in

Workman Falls Eight Stories.

Peter Cudahy, a plasterer employed on the annex to the Metropolitan Life Building at Fourth avenue and Twenty-third street, was at work on the eighth floor vesterday when he was attacked with vertigo. He staggered backward several foet to an elevator shaft and fell to the ground. His body was badfy bruised and he was unconscious when removed to the New York Hospital.



The board of governors of the Building MRS. JOHNSTON STAYS IN JAIL

THE ALLEGED DEFAULTER CAN-NOT RAISE \$7,500 BAIL.

She Lived in Larchmont-He Has a Wife in Passaic, They Declare. The woman who said she is Mrs. Marie

Layton Johnston and who is accused of the larceny of about \$50,000 from the United States Playing Card Company, pleaded not guilty to five indictments yesterday before Judge Foster in General Sessions. Bail was set at \$7,500, and as she could not provide it she was sent to the Tombs. Her counsel told Judge Foster that her only lesire is to expose the guilty person, and he intimated that some one in the New York office of the concern got the money The police said yesterday that they had

no doubt that Mrs. Helen Pulis Johnston of Passaic, daughter of Garrett W. Pulis of Paterson, N. J., is the legal wife of Dr. A. M. Johnston, who has been living in New York and in Larchmont for the last two years with the accused woman. Miss Pulis was married to Dr. Johnston in 1897, and a year or so later, after the birth of a daughter, Johnston deserted her.

The District Attorney has been unable

to verify a statement reported to have been made by Marie Layton Johnston that she and the dentist were married in February, 1901. The police do not believe that such a ceremony was ever performed. S. E. Layton, father of the young woman, is an egg and butter dealer at 413 Amster-

dam avenue.

"It is ridiculous to speak of my daughter Table ridiculous to speak of my daughter holding a place of responsibility with the company," he said. "She is not an expert bookkeeper. All she can do is to address envelopes, and that's what she was supposed to be in the office for. That's all can say now; the rest will come out in

Layton is positive that his daughter is the legal wife of Dentist Johnston. The ceremony, he said, took place on Feb. 12, 1900, and was performed by the Rev. Dr. John P. Peters at St. Michael's Protestant Episcopal Church, in Ninety-ninth street. The Rev. Appleton Grannis, curate of St. Michael's, said last night that the church ooks contained no record of any such

LARCHMONT, N. Y., Oct. 8.—Dr. Albert M. Johnston refused to-night to discuss the report that he has a wife in Passaic, N. J.

"I can discuss nothing whatever in connection with this case," he said. "You will have to see my lawyers."

Dr. Johnston declined also to allow the reporters to talk to his mother on the subject, but a few days ago she stated that her son had never been married until he came home with the woman now under arrest.

arrest.
"He brought her home," said Mrs. Johnston, and they told me they were married. That's all I know about it. I never found out where the ceremony took place or who performed it." FIRED AT FORMER EMPLOYER.

Discharged Waiter Tries to Shoot Chief Steward on the Steamer Monroe. John Bowley, a negro, who was formerly and the rival union working. Representa- a waiter on the steamship Monroe, fired the chief steward of the vessel, yesterday afternoon, but both went wide. Then Savage and several of the crew overpowered Bowley and he was handed over to a police-

> Bowley was discharged by Savage on Wednesday night and went aboard the vessel yesterday to collect his back pay. Savage invited him into a cabin while he made out a pay check. In the cabin was the second steward, whose compaint resulted in Bowley's discharge. The two men started to argue and when the second steward got up to leave the cabin Bowley pulled out a pistol and ran after him.
>
> Savage grabbed Bowley before he could get out of the cabin, and the two had a struggle. Finally Bowley broke away and, pointing the pistol at Savage, fired. Bowley was arraigned in the Tombs police court on the charge of felonious assault and was held in \$2,000 bail for trial. Bowley was discharged by Savage on

MONEY TO CHECK CONSUMPTION. ement House Commissioner Asks for

\$196,000 to Spend Next Year. Robert W. De Forest, Tenement House Commissioner, asked the Board of Estinate vesterday to increase the appropriation for his department to \$786,650, which is \$330,000 more than he got for this year. Mr. De Forest said he needed this extra money to carry out all the provisions of the new law. There are still in Greater New York, the Commissioner explained, over \$50,000 dark rooms scattered through 40,000 dif-ferent tenements. The law requires that each of these rooms shall be fitted with a each of these rooms shain be litted with a window. These unwindowed rooms, Mr. De Forest said, are responsible for the great prevalence of pulmonary diseases in this city. After the owners of the old style houses have been made to conform to the requirements of the new law the annua

appropriation can be reduced to about WITNESS CAN'T GO HOME.

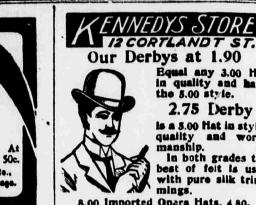
Complainant Didn't Appear and Bousoh Must Remain Another Day. Albert Sellinger, who appeared in court several days ago against Nellie Burke of 115 West Thirty-fifth street, was not present when his case was called in the Jefferson Market court yesterday afteroon, and Kurst Bousohl, who is living at the Imperial Hotel, is still detained in New

York at a witness.

Sellinger accused the woman of stealing \$4 from him and of assaulting him when he followed her to recover the money. Bousohl saw the assault and offered to ap-Bousoni saw the assault and onered to appear against the wcman. When the case was called Magistrate Pool adjourned the hearing until Thursday, and when Bousoni declared that important business required his presence in Philadelphia, signed an rder committing him to the House of Da tention. He was afterward released, how-ever, in \$100 bail.

RISHOP HENDRICK COMING HERE. tochester Priests to Meet Him Down the Bay With Congratulations.

A cable despatch to Peter A. Hendrick, rother of the new Bishop of Cebu, in the Philippines, announced yesterday that the Bishop has sailed for America on the Oceanic. Bishop has saled for America on the Oceanic.
He will reach New York next Wednesday.
Bishop Hendrick will remain in New York
for several days and will then proceed to
Rochester, his old diocese. A great reception has been planned for him there.
A delegation of the Rochester priests
will come to New York to greet the new
Bishop and with about twenty New will come to New York to greet the new Bishop and, with about twenty New York priests, will go down the bay to meet him. After remaining at Rochester several days Bishop Hendrick will go to Washing-ton. A number of New York priests have volunteered to accompany him to the Philippines and aid him in establishing his college there



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SAYS EMPLOYER BEAT HER. Young Woman Found Wandering in the Street, Cut and Bruised.

A woman scantily clad and in her bare feet was found early yesterday morning wandering aimlessly about in Bushwick avenue near Grand street, Williamsburg. by a policeman who took her to the Stagg street station. Her face was shockingly out and bruised and she could scarcely speak. She said she was Mrs. Annie Henspeak. She said she was Mrs. Annie Hennessy, a widow, 29 years old, and that she was formerly a housekeeper for William Glaser of 42 Bartlett street, Williamsburg. As she had no home she was held on a technical charge of vagrancy. She was arraigned later in the Ewen Street police court before Magistrate O'Reilly. He asked her how she had received her injuries.

Mrs. Hennessy began to sob and said that while she was Glaser's housekeeper he maltreated her and on Wednesday, when she informed him that she was going to leave, he beat her almost into insensibility and after trying to cut her throat dragged her to the cellar and locked her in a room. She escaped on Wednesday night and wandered about until the policeman found her.

The Magistrate issued a summons for Glaser and instructed the police to make a thorough investigation. Mrs. Hennessy was held.

SHANGHAIED NEGRO LAD. Back From the Sea to Make Trouble for

Charleston Kidnappers. Moses Smallwood, a young Georgia darky who arrived yesterday from Liverpool aboard the White Star liner Majestic. was sent home by the American Consul at Bristol, England, where he landed last month from the Russian bark Alice. He declares that he was shanghaied at Savannah in July by Harry Oleson, keeper of a sailors' boarding house, and Jake Johnson, a negro runner. He says he was filled with whiskey and rowed out to the bark with seven other men and boys. Moses says he had never been aboard ship before, says he had hever been aboard ship before, and because he didn't do his work quickly enough to suit the mate, who spoke no English, he was beaten. He got only one square meal a day. He is going to Savannah to appear against Oleson and John on, who have been arrested by the United

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PUBLICATIONS.

A Kidnapped Colony By Mary Raymond Illustrated Shipman Andrews

> A jolly story of how a clever young American captured the governorship of an English colony. The merry adventures he and his friends had in keeping his pretence a secret, are told in a happy touch-andgo style that gives charm and vivacity to the tale. The adventure, by the way, made and nearly spoiled a love affair.

Harper & Brothers Publishers, New York